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DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: TRANSPORT OF DANGEROUS GOODS

Work of the Committee of Experts on the Transport of Dangerous Goods

Report of the Secretary-General

SUMMARY

In accordance with Economic and Social Council resolution 645 G (XXIII) of 26 April 1957, the Secretary-General reports biennially to the Council on the work of the Committee of Experts on the Transport of Dangerous Goods. In the present report, the Secretary-General brings to the attention of the Council the work done by the Committee and its subsidiary body during the biennium 1991-1992.

The Committee welcomed the participation of an increased number of developing countries in its work.

The Committee expressed concern over the duplication of work in the field of harmonization of systems of classification and labelling of chemicals that might result from the creation of new bodies in the United Nations system in the context of the implementation of chapter 19 (Environmentally sound management of toxic chemicals including prevention of international illegal traffic in toxic and dangerous products) of Agenda 21, adopted by the United Nations Conference on Environment and Development.

The Committee requested that its new and amended recommendations be published in all the official languages of the United Nations not later than the end of 1993. The Committee once again stressed the need for adequate staff resources and funding to support its work. The Committee approved a draft resolution on its work for adoption by the Council.

* E/1993/100.

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I. MATTERS REQUIRING ACTION BY THE COUNCIL

1. The Committee of Experts on the Transport of Dangerous Goods recommends to the Economic and Social Council the adoption of the following draft resolution:

Work of the Committee of Experts on the Transport of Dangerous Goods

The Economic and Social Council,

Recalling its resolutions 468 (XV) of 15 April 1953, 1983/7 of 26 May 1983, 1985/9 of 28 May 1985, 1986/66 of 23 July 1986, 1987/54 of 28 May 1987, 1989/104 of 27 July 1989 and 1991/57 of 26 July 1991,

Noting the ever-increasing volume of dangerous goods in world-wide commerce and the rapid expansion of technology and innovation,

Noting also the recommendation made by the United Nations Conference on Environment and Development, in chapter 19 of Agenda 21, that international bodies, including the International Programme on Chemical Safety of the World Health Organization, the International Labour Organisation and the United Nations Environment Programme, as well as the Food and Agriculture Organization of the United Nations, the International Maritime Organization, the Committee of Experts on the Transport of Dangerous Goods, the Organisation for Economic Cooperation and Development, in cooperation with regional and national authorities having existing classification and labelling systems and other systems for the dissemination of information, establish a coordinating group with a view to establishing and elaborating a harmonized classification and labelling system for chemicals, 1/

Noting further that in response to its requests, made in its resolutions 1983/7, 1985/9, 1986/66, 1987/54, 1989/104 and 1991/57 for adequate staff resources for servicing the Committee, an additional Professional post had been granted but has not yet been filled officially in spite of temporary redeployment arrangements,

Bearing in mind the continuing need to meet the growing concern for the protection of life, property and the environment through the safe transport of dangerous goods while facilitating trade,

Aware that in order to achieve internationally harmonized laws, the specialized agencies and other international organizations involved in activities related to the transport of dangerous goods, as well as interested Member States, have responded positively to the relevant resolutions adopted

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1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions adopted by the Conference (United Nations publication, Sales No. E.93.I.8), resolution 1, annex II, para. 19.29.

since its resolution 468 (XV) and are committed to taking the recommendations of the Committee of Experts on the Transport of Dangerous Goods as a basis for the formulation of their requirements and regulations, including those concerning classification and labelling, and therefore rely on the work of the Committee,

Aware of the concern expressed by the Assembly of the International Maritime Organization, in its resolution A.717 (17) of 6 November 1991, with regard to the development of new conventions, legislation and recommendations relating to dangerous goods or to the management of chemicals outside the coordinated forum of the Committee of Experts on the Transport of Dangerous Goods, and aware also that the Assembly had urged all United Nations and other intergovernmental bodies concerned working on various aspects of the management of chemicals to coordinate their efforts in order to ensure the compatibility of any legislation on chemicals with established transport rules and regulations,

Recognizing the increasing need for cooperation between international bodies involved in activities related to the transport of dangerous goods and those involved in other aspects of chemical safety,

Confirming the need for the Committee of Experts on the Transport of Dangerous Goods to participate actively in relevant activities associated with the implementation of Agenda 21,

Reaffirming the desirability of widening the decision-making base of the Committee by encouraging the participation of developing countries and other non-member countries in its future work,

1. Takes note of the report of the Secretary-General on the work of the Committee of Experts on the Transport of Dangerous Goods during the biennium 1991-1992 2/ and of the new and amended recommendations approved by the Committee for inclusion in its existing recommendations; 3/

2. Requests the Secretary-General:

(a) To incorporate in the existing recommendations of the Committee of Experts on the Transport of Dangerous Goods all the new and amended recommendations approved by the Committee at its seventeenth session;

(b) To publish the new and amended recommendations in all the official languages of the United Nations, in the most cost-effective manner, not later than the end of 1993;

(c) To circulate the new and amended recommendations immediately after their publication to the Governments of Member States, the specialized agencies, the International Atomic Energy Agency and the other international organizations concerned;

2/ E/1993/57.

3/ See ST/SG/AC.10/19 and Add.1-6.

3. Invites all Governments, the specialized agencies, the International Atomic Energy Agency and the other international organizations concerned to transmit to the Secretary-General their views on the Committee's work, together with any comments they may wish to make on the amended recommendations;

4. Invites all interested Governments and the international organizations concerned, when developing appropriate codes and regulations, to take full account of the recommendations of the Committee;

5. Invites all Governments and the international organizations concerned with the implementation of chapter 19 of Agenda 21 and participating in the development of a globally harmonized system of classification and labelling of chemicals to avoid duplication of work and to ensure that, to the greatest extent possible, the new system draws on, or is compatible with, the internationally well-recognized and implemented system developed by the Committee of Experts on the Transport of Dangerous Goods;

6. Requests the Secretary-General to take all necessary steps for ensuring secretariat representation of the Committee of Experts on the Transport of Dangerous Goods at appropriate meetings of international organizations committed to implementing the recommendations of the Committee or involved in the process of global harmonization of classification and labelling systems for chemicals;

7. Recommends once again that adequate funding be provided to support the work of the Committee;

8. Recommends that the staff necessary for the adequate servicing of the Committee continue to be made available, and that the vacant Professional post be filled as a matter of priority;

9. Requests the Secretary-General to submit to the Council in 1995 a report on the implementation of the present resolution.

II. GENERAL ASPECTS OF THE WORK OF THE COMMITTEE

2. The transport of dangerous goods is regulated in order to prevent, as far as possible, accidents to persons or property and damage to the means of transport employed or to other goods. At the same time, regulations must be framed so as not to impede the movement of such goods, other than those too dangerous to be accepted for transport. With that exception, the aim of regulations is to make transport feasible by eliminating risks or reducing them to a minimum. It is a matter of safety no less than of facilitating transport.

3. The Committee of Experts on the Transport of Dangerous Goods and its subsidiary body are developing recommendations in the light of technical progress, the advent of new substances and materials, the exigencies of modern transport systems and, above all, the requirement to ensure the safety of people, property and the environment. The recommendations cover principles of classification and definition of classes, listing of the principal dangerous goods, packing, marking, labelling, multimodal tank transport, documentation and

consignment procedures. In addition, there are special recommendations related to particular classes of goods.

4. The recommendations aim at presenting a basic scheme of provisions that will allow national and international regulations governing the various modes of transport to develop within it in a uniform fashion and yet remain flexible enough to accommodate any special requirements that might have to be met. It is expected that Governments, intergovernmental organizations and other international organizations, when revising or developing regulations for which they are responsible, will conform to the principles laid down in these recommendations, thus contributing to world-wide harmonization in this field.

5. After 40 years, the United Nations recommendations have become the acknowledged source of technical provisions and are implemented world wide. The Committee's role is now twofold: to adapt the recommendations to technological progress, so that they remain relevant and practical; and to respond to suggestions from the modal authorities for amending the recommendations to promote total harmonization.

6. The Committee performs those functions in a sensitive context, in which pressure is growing to control the risks to the public and the environment that are associated with dangerous substances. The Committee is competent and well structured to make recommendations that strike a sensible balance between undue risks, on the one hand, and unwarranted restrictions on trade, on the other.

7. The Committee's work obviously benefits countries involved in extensive international transport of dangerous goods. Increasingly, those benefits also apply to developing countries as they build up and increase their industrial potential and find it necessary to create or further develop their legislation and technical regulations. The Committee is open to all who have an interest in and are confronted with the transport of dangerous goods.

III. WORK OF THE COMMITTEE DURING THE BIENNIUM 1991-1992

8. The Committee held its seventeenth session at Geneva from 7 to 16 December 1992.

9. The following 14 States participated in the work of the Committee and of its Subcommittee as full members: Canada, China, France, Germany, India, Italy, Japan, Netherlands, Norway, Poland, Russian Federation, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America. The following States were represented by observers: Austria, Argentina, Belgium, Brazil, Finland, Islamic Republic of Iran, Kenya, Mexico, Morocco, Nigeria, Spain, Switzerland and Ukraine. The Committee welcomed the participation of an increased number of developing countries. Twenty-two specialized agencies, intergovernmental organizations, including the European Economic Community, and non-governmental organizations also participated.

10. Liaison was maintained with the regulatory authorities responsible for individual modes of transport, namely the International Civil Aviation Organization (ICAO), the International Maritime Organization (IMO) and the Central Office of International Railway Transport (OCTI).

11. The Committee paid special attention to coordination of its own activities with those of other international organizations whose activities impinge on the field of transport of dangerous goods. Liaison was established with the secretariats of the International Labour Organisation (ILO), the World Health Organization (WHO) and the United Nations Environment Programme (UNEP) to ensure that their work would complement, rather than duplicate or clash with, existing agreements and instruments on safe transport of dangerous goods.

A. Work of the Subcommittee of Experts on the Transport of Dangerous Goods

12. The Subcommittee of Experts on the Transport of Dangerous Goods meets once or twice a year, alternately, and prepares recommendations for endorsement by the Committee. More specifically it:

(a) Recommends and defines groupings or classifications of dangerous goods on the basis of the character of risk involved, as well as criteria for classification;

(b) Lists the principal dangerous goods moving in commerce and assigns each to its proper grouping or classification;

(c) Recommends marks and labels for each group or class to identify the risk graphically and without recourse to printed text;

(d) Recommends the simplest possible requirements for shipping papers covering dangerous goods and for consignment procedures in general;

(e) Recommends requirements for the safe packing of various types of goods and requirements for the construction, testing and certification of packagings and intermediate bulk containers, having regard to technological developments in packing materials;

(f) Recommends requirements for the construction and operation of multimodal tank-containers.

13. During the biennium 1991-1992, the Subcommittee discussed more specifically matters concerning Class 1 (explosives), packagings (metal drum reprocessing), definitions of solids and liquids, intermediate bulk containers, consignment procedures, criteria for corrosive substances, lithium batteries, routine listing and classification of dangerous goods, and harmonization with the IMO provisions on sea transport.

B. Outcome of the United Nations Conference on Environment and Development

14. The Committee noted that several chapters of Agenda 21, adopted by the United Nations Conference on Environment and Development (UNCED) were relevant to its work, in particular chapter 19 (Environmentally sound management of toxic chemicals, including prevention of illegal international traffic in toxic and dangerous products). One of the programme areas proposed in chapter 19 is the

harmonization of classification and labelling of chemicals, which falls within the Committee's terms of reference. The Committee therefore expressed concern about the status and functioning of a coordinating group established by the ILO/WHO/UNEP International Programme on Chemical Safety and about the development of new structures in the United Nations system that might duplicate its work in that field just when harmonization of classification and labelling of chemicals is being achieved for all modes of transport after 40 years of effort.

15. Such concerns had also been raised by the Assembly of the International Maritime Organization at its seventeenth session in resolution A.717 (17) of 6 November 1991 on coordination in matters relating to dangerous goods and hazardous substances. The Committee therefore decided to request the Economic and Social Council to invite all Governments and the international organizations concerned with the implementation of chapter 19 of Agenda 21 and participating in the development of a globally harmonized system of classification and labelling of chemicals to avoid duplication of work and to ensure that, to the greatest extent possible, the new system was drawn on, or was compatible with, the internationally well-recognized and implemented system developed by the Committee of Experts on the Transport of Dangerous Goods.

C. Meetings held during the biennium 1991-1992

16. Since the second regular session of 1991 of the Economic and Social Council, the following meetings have been held (the symbol in parentheses is that of the report of the body concerned):

(a) Subcommittee of Experts on the Transport of Dangerous Goods: fourth session, 1-12 July 1991 (ST/SG/AC.10/C.3/8); fifth session, 2-12 December 1991 (ST/SG/AC.10/C.3/10 and Add.1); sixth session, 6-17 July 1992 (ST/SG/AC.10/C.3/12 and Add.1);

(b) Committee of Experts on the Transport of Dangerous Goods: seventeenth session, 7-16 December 1992 (ST/SG/AC.10/19 and addenda).

D. Publication of the recommendations

17. The Committee noted that the seventh revised edition of the Recommendations on the Transport of Dangerous Goods 4/ had been published in English, French, Spanish and Chinese, as requested by the Economic and Social Council in resolution 1991/57. The Arabic and Russian versions had not yet been published, but priority would be given to those languages in the preparation of the eighth revised edition.

18. The Committee requested the Secretariat to publish the new and amended recommendations (eighth revised edition) in the most cost-effective manner,

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4/ United Nations publication, Sales No. E.91.VIII.2.

without delay for ensuring quicker implementation by all modes of transport, and not later than the end of 1993.

19. The recommendations should in future be issued by electronic means; the text will be stored on electronic supports and delivered to members that request it. At the same time, the secretariat is studying the possibility of creating a data bank on dangerous goods.

E. Resources

20. The Committee noted that although one additional Professional post had been allocated to the Transport Division of the Economic Commission for Europe (ECE) for servicing the Committee and the ECE Working Party on the Transport of Dangerous Goods, in response to Economic and Social Council resolutions 1981/3, 1983/7, 1985/7, 1985/9, 1986/66, 1987/54, 1989/104 and 1991/57, there was a freeze on external recruitment and the post had not yet been filled. The Committee, however, welcomed the temporary redeployment measures taken by the Executive Secretary of ECE and expressed satisfaction with the improvement in the servicing of its sessions. Nevertheless it suggested that the vacant post be filled officially as a matter of urgency to maintain the quality of service.

21. The Committee stressed the role of the secretariat in the implementation of the recommendations on the transport of dangerous goods and therefore requested that adequate funding be provided to ensure secretariat representation at appropriate meetings of international bodies to which the recommendations were directed, especially IMO and ICAO, and meetings of organizations cooperating in the process of harmonization of classification and labelling systems, as requested by UNCED in chapter 19 of Agenda 21.

F. Future work

22. The Committee agreed on the programme of work for its subsidiary body during 1993-1994 in the following areas:

(a) Rationalization of the Manual of Tests and Criteria;

(b) Matters concerning Class 1: revision of chapter 10 (Special recommendations on packing for explosives);

(c) Criteria for Division 5.1 (Criteria for classification of solid and liquid oxidizing substances);

(d) Matters concerning Class 2 (including work of the International Organization for Standardization (ISO) on standards for gas cylinders and quality assurance);

(e) Matters concerning Class 8, including test methods for determining metal corrosion;

(f) Environmentally hazardous substances;

(g) Routine listing and classification, including listing of new formulations of organic peroxides and self-reactive substances;

(h) Editorial review of chapter 3;

(i) Matters related to packagings and intermediate bulk containers;

(j) Review of chapter 12 and the multimodal tank tables;

(k) Review of chapter 15 (Dangerous goods in limited quantities);

(l) Segregation requirements for dangerous goods;

(m) Systematic list of entries (extension of appendix A);

(n) Activities of the Coordinating Group on the Harmonization of Classification and Labelling Systems of the International Programme on Chemical Safety (IPCS);

(o) Relations with other organizations.

G. Calendar of meetings for the biennium 1993-1994

23. The Committee proposed that its eighteenth session be held from 28 November to 7 December 1994. As a result of improved multimodal harmonization, the Committee decided to reduce the duration of the two Subcommittee sessions to be held in 1993 from 10 to 8 working days. The Subcommittee of Experts on the Transport of Dangerous Goods should meet three times during the biennium 1993-1994: 12-21 July 1993, 22 November-1 December 1993 and 4-15 July 1994.

H. Draft resolution on the work of the Committee

24. The Committee approved a draft resolution (ST/SG/AC.10/19/annex 9) entitled "Work of the Committee of Experts on the Transport of Dangerous Goods" for adoption by the Economic and Social Council (see para. 1 above).